

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CREIGHTON TAKATA, Individually
and on behalf of all others similarly
situated,

Plaintiff,

v.

RIOT BLOCKCHAIN, INC. F/K/A,
BIOPTIX, INC., JOHN O'ROURKE,
and JEFFREY G. MCGONEGAL,

Defendants.

Civil No. 3:18-CV-02293(FLW)(TJB)

ORAL ARGUMENT REQUESTED

MOTION DATE: July 1, 2019

**NOTICE OF RIOT BLOCKCHAIN DEFENDANTS' MOTION TO
DISMISS THE CONSOLIDATED CLASS ACTION COMPLAINT FOR
VIOLATION OF THE FEDERAL SECURITIES LAWS**

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Attorneys for Defendants
**RIOT BLOCKCHAIN, INC., JOHN O'ROURKE, MICHAEL BEEGHLEY, AND
JEFFERY G. MCGONEGAL**

PLEASE TAKE NOTICE that on July 1, 2019, or at such other date as may be set by the Court, Defendants Riot Blockchain, Inc., John O'Rourke, Jeffery G. McGongegal, and Michael Beeghley, by and through their undersigned attorneys, will move the Honorable Freda L. Wolfson, United States District Judge, and the Honorable Tonianne J. Bongiovanni, United States Magistrate Judge, Clarkson S. Fisher Building & Courthouse, 402 East State Street Room 2020, Trenton, NJ 08608, for an Order pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure, and the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4(b), dismissing with prejudice Lead Plaintiff Dr. Stanley Golovac's Consolidated Class Action Complaint in the above-captioned matter.

PLEASE TAKE FURTHER NOTICE that the undersigned shall rely on this Notice of Motion, the accompanying Memorandum of Law, the accompanying Request for Judicial Notice, the accompanying Declaration of Thomas A. Zaccaro and the Exhibits attached thereto, and on such other written and oral argument as may be presented to the Court as well as all pleadings and proceedings had to date herein.

PLEASE TAKE FURTHER NOTICE that a proposed Order is submitted herewith.

DATED: March 18, 2019

PAUL HASTINGS LLP

By: /s/ Chad J. Peterman

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